

OCT 18 2004

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RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1638

COPY

Attorney Docket No. 5051-471

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.

Serial No.: 09/941,042

Filed: August 28, 2001

For: *NUCLEIC ACIDS AND METHODS FOR PRODUCING TRANSGENIC PLANTS
CONTAINING MOLECULAR DECOYS*

Confirmation No.: 4291

Group Art Unit: 1638

Examiner: A. Kubelik

Date: October 13, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450PETITION AND FEE FOR EXTENSION OF TIME
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of (3) three months to respond to the Official Action dated April 13, 2004.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☐ Claims small entity status. See 37 CFR 1.27.

☒ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

	Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$430.00	\$215.00
<input checked="" type="checkbox"/>	three months	\$980.00	\$490.00
<input type="checkbox"/>	four months	\$1,530.00	\$765.00
<input type="checkbox"/>	five months	\$2,080.00	\$1,040.00

Fee Enclosed \$980.00

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- ☒ A check in the amount of \$1320.00 (\$340.00 Notice of Appeal fee and \$980.00 extension fee) is enclosed.
- ☐ Payment by credit card (Form PTO-2038) is enclosed.
- ☒ Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,

Mary L. Miller

Mary L. Miller
Registration No. 39,303

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
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Customer Number 20792

CERTIFICATE OF EXPRESS MAIL

Express Mail Label Number EV 473658749 US
Date of Deposit: October 13, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

K. Chung
Katie A. Chung

OCT. 18, 2004 2:08PM MBS&S 919 854-1401

NO. 6825 P. 10 510553

2300.00 Honorable Commissioner
0/13/04 5051.471

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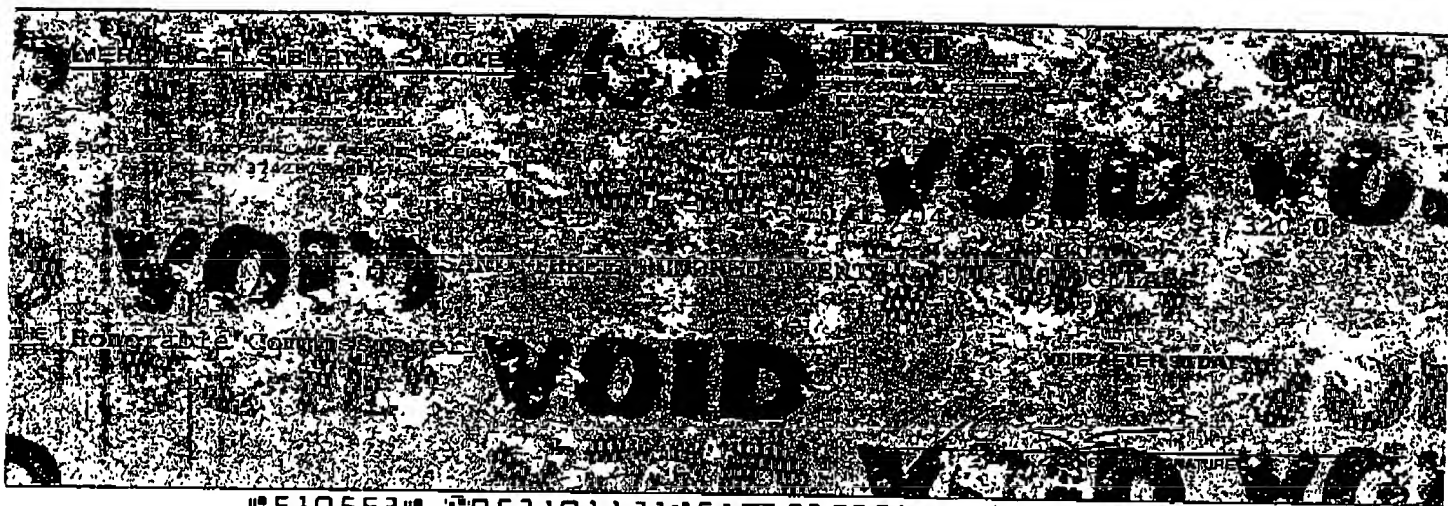
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